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JAN 24 2013

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
FOR EASTERN DISTRICT OF MISSOURI

CATHERINE S. TYSON,

Plaintiff,

v.

UNITED STATES OF AMERICA,

COMMISSIONER OF INTERNAL  
REVENUE,

Defendant.

4 : 13CV000163 CEJ

**COMPLAINT FOR INJUNCTIVE RELIEF**

1. This is an action under the Freedom of Information Act, 5 U.S.C. § 552, and the Privacy Act of 1974, 5 U.S.C. § 552a, to order the production of agency records. Plaintiff has requested records as part of an internal investigation, initiated by the Plaintiff, as to reprisals by management for reporting workplace sexual harassment problems.

2. This court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 5 U.S.C. § 552a(g)(1).

3. Plaintiff, Catherine S. Tyson, is an attorney employed at the Office of Chief Counsel, Internal Revenue Service, Department of Treasury, in St. Louis, Missouri.

4. On August 29, 2012, Plaintiff sent a request to Defendant pursuant to the Freedom of Information Act and the Privacy Act of 1974. This request was assigned case number F12250-0131. A copy of this letter is attached as Exhibit A.

5. On November 15, 2012, Plaintiff filed an addition request pursuant to the Freedom of Information Action and the Privacy Act. This request was assigned case number F13332-0074. A copy of this letter is attached as Exhibit B.

6. Defendant Internal Revenue Service is an agency of the United States and has possession of the documents that plaintiff seeks. The requested information is maintained by the Office of Chief Counsel, Internal Revenue Service.

7. Defendant has not provided any information pursuant to either request. The first request has been pending more than 140 days. The second request has been pending for more than 70 days.

8. On October 1, 2012, Defendant requested additional time to respond to the August 29, 2012 request. On January 16, 2013, Defendant sent another letter stating that more additional time would be required. Attached as Exhibit C is a copy of the January 16, 2013 letter.

9. On December 19, 2012, Defendant requested additional time to respond to the November 15, 2012 request. Attached as Exhibit D is a copy of that letter.

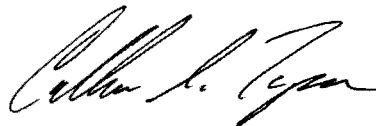
10. The delays in the providing the requested information harms the Plaintiff. The information is necessary as evidence supporting the Plaintiff's position during an upcoming investigation as to retaliation by management when Plaintiff reported work-place sexual harassment.

11. Plaintiff has a right of access to the requested information under 5 U.S.C. §§ 552 and 552a, and there is no legal basis for defendant's denial of such access.

WHEREFORE, plaintiff requests this Court:

- (1) Order defendant to provide access to the requested documents;
- (2) Expedite this proceeding as provided for in 28 U.S.C. § 1657;
- (3) Award plaintiff costs and reasonable attorneys fees in this action, as provided in 5 U.S.C. § 552(a)(4)(E); and
- (4) Grant such other and further relief as may deem just and proper.

Respectfully submitted,



Catherine S. Tyson  
Missouri Bar No. 52239, Pro Se  
2176 Silverwood Lane  
Chesterfield, Missouri 63017

Dated: